

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ESPADANZA L. DUARTE, R.M.A.
 a.k.a. Espadanza L. Duarte-McCurdy
 Registration No.: 0031-005192**

NOTICE OF HEARING

Pursuant to §§ 2.2-4020, 2.2-4024(F), and 54.1-2400(11) of the Code of Virginia (1950), as amended (“Code”), Espadanza L. Duarte, R.M.A., who, prior to its summary suspension by the Board of Nursing on July 22, 2015, held Registration No. 0031-005192 to practice as a medication aide in Virginia, which was set to expire on December 31, 2015, is hereby given notice that a formal administrative hearing will be held in the presence of a panel of the Board of Nursing. The hearing will be held on September 14, 2015, at 10:00 a.m., at the offices of the Department of Health Professions, Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia 23233, at which time Ms. Duarte will be afforded the opportunity to be heard in person or by counsel.

At the hearing, Ms. Duarte has the following rights, among others: the right to representation by counsel; the right to have witnesses subpoenaed and to present witnesses on her behalf; the right to present documentary evidence; and the right to cross-examine adverse witnesses. If Ms. Duarte desires any witnesses to appear on her behalf, she must notify the Director of Administrative Proceedings, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in accordance with the Instructions for Requesting Subpoenas.

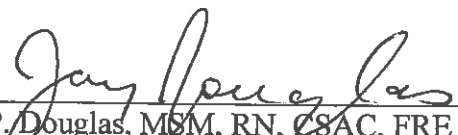
The purpose of the hearing is to inquire into evidence that Espadanza L. Duarte, R.M.A., may have violated certain laws and regulations governing medication aide practice in Virginia, as more fully set forth in the Statement of Particulars below.

STATEMENT OF PARTICULARS

The Board alleges that:

1. Espadanza L. Duarte, R.M.A., may have violated § 54.1-3007(2), (3), (5) (6) and (8) of the Code and 18 VAC 90-60-110(A)(2) and 18 VAC 90-60-120(2)(c), (d), (f) and (m) of the Regulations Governing the Registration of Medication Aides in that during the course of her employment with Greenfield of Woodstock, Woodstock, Virginia, from on or about November 25, 2014 to February 23, 2015, by her own admission, Ms. Duarte diverted approximately 1,577 unit doses of oxycodone and hydrocodone (both C-II), from resident stock for her personal and unauthorized use. Ms. Duarte accomplished the diversion by documenting the administration of narcotic medications which she failed to administer, and by removing the pill identification labels on tramadol (C-IV), acetaminophen or meclizine medication cards and switching them with the pill identification labels on the narcotic medication cards, keeping the narcotics for her personal use while the residents actually received the switched medications.
2. Ms. Duarte may have violated § 54.1-3007(4) of the Code in that on or about June 24, 2015, in the Circuit Court of Shenandoah County, Virginia, she pled guilty to and was convicted of two counts of misbranding drugs, a misdemeanor involving moral turpitude.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director for the
Board of Nursing

ENTERED: _____

